**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE G. BIKSHAPATHY**

**and**
**THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY**

**WRIT PETITION NO : 22087 of 2004**

Between:

C.Muralikrishna Reddy S/o.C.Doraswamy Reddy
Anantapur, Anantapur District.

**..... PETITIONER**

AND

1 The Govt. of A.P.,

rep by its Secretary Education Department,

Secretariat, Hyderabad.
2 The Commissioner and Director of School Education,

Hyderabad.
3 The District Educational Officer,

Anantapur, Anantapur District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a appropriate writ order or direction more particularly one in the nature of writ of Certiorari calling for the records relating to O.A.No.6129/2004, dated 9.11.2004 passed by the A.P. Administrative Tribunal and the proceedings Rc.No.2429/C2-3/2004-1, dt.2.11.2004 issued by the second respondent and set aside the same as illegal, arbitrary violation of the guidelines issued by the first respondent and violation of articles 14, 16 and 21 of the Constitution of India.

**Counsel for the Petitioner: Smt. B.KAVITA YADAV**
**Counsel for the Respondents: GP FOR EDUCATION**

**The Court at the stage of admission made the following :**

**ORDER:** (per Hon'ble Sri Justice G.Bikshapathy)

The petitioner challenges the order of transfer issued by the Commissioner and Director of School Education, Hyderabad, dated 2-11-2004, posting him as Gazetted Head Master, GHS, King Market, Kurnool District, while he was working as Deputy Educational Officer, Ananthapur District.

2. The learned Tribunal, after considering the matter, held that there is no illegality or irregularity in the order passed by the Commissioner and Director of School Education posting him as Gazetted Head Master, GHS, King Market, Kurnool District and, accordingly, dismissed the same by order dated 09-11-2004. Against the said order, the present writ petition is filed.

3. Learned Counsel for the petitioner submits that transfer is a major punishment, and therefore, the order passed by the tribunal is liable to be set aside.

4. We are unable to appreciate the contention of the learned counsel for the petitioner. The Gazetted Head Master and Deputy Educational Officer are equivalent posts and in order to facilitate the authorities to conduct enquiry, the petitioner was transferred as Gazetted Head Master, GHS, King Market, Kurnool District. Thus, we do not find any illegality or irregularity in the order passed by the Tribunal.

5. Hence, the writ petition is dismissed. No costs.

_____

G. BIKSHAPATHY, J.

_____

B. SESHASAYANA REDDY, J.

Dt:01-12-2004.

**Rns**/Tsy

To

1 The Secretary,

Education Department,

Govt. of A.P.,

Secretariat, Hyderabad.

2 The Commissioner and Director of School Education,

Hyderabad.

3 The District Educational Officer,

Anantapur, Anantapur District.

4 Two CCs to G.P. for Education, High Court of A.P.,

Hyderabad(OUT),

5 Two CD copies.